

GENERAL ORDERS, }
No. 104. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, April 28, 1863.

I. Before a General Court Martial, which convened at Hilton Head, South Carolina, January 19, 1863, pursuant to Special Orders, No. 122, dated Headquarters United States Forces, Hilton Head, South Carolina, January 19, 1863, and of which Colonel EDWIN METCALF, 3d Rhode Island Artillery, is President, was arraigned and tried—

Artificer *Adolph Schramm*, Company D, New York Volunteer Engineer Regiment.

CHARGE I.—“Mutiny.”

Specification 1st—“In this; that the said Artificer *Adolph Schramm* did mutiny, and join with John Henneri, Carl Frantz, Conrad Pilzer, F. Elluchewitz, and other members of his Company and Regiment, in a mutiny, and did refuse to obey the legal commands of their superior officers, particularly those of Captain F. E. Græfe, and did refuse to embark for Tybee island, Georgia, when ordered so to do by his superior officer, Captain F. E. Græfe. This at Hilton Head, South Carolina, on or about the first day of March, 1862.”

Specification 2d—“In this; that the said Artificer *Adolph Schramm* did mutiny, and join with John Henneri, Carl Frantz, Conrad Pilzer, F. Elluchewitz, and other members of his Company and Regiment, in a mutiny, and did refuse to obey the legal commands of his superior officers, particularly those of Sergeant Whittman, and did refuse to do any duty whatever. This while in front of the enemy at Tybee island, Georgia, on or about the first day of April, 1862.”

Specification 3d—“In this; that the said Artificer *Adolph Schramm* did mutiny, and join with John Henneri, Carl Frantz, Conrad Pilzer, F. Elluchewitz, and others, members of his Company and Regiment, in a mutiny, and did refuse to obey the legal commands of his superior officers, particularly those of Brigadier General Q. A. Gillmore and Captain F. E. Græfe, and did refuse to do any duty whatever, and did use, and join in the use of

violent and threatening language towards his superior officers particularly towards Lieutenant Suess. This at Tybee island, Georgia, on or about the twenty-fifth of April, 1862."

Specification 4th—"In this; that the said Artificer *Adolph Schramm* did mutiny, and join with John Henneri, Carl Frantz, Conrad Pilzer, F. Elluchewitz, and other members of his Company and Regiment, in a mutiny, and did refuse to obey the legal commands of his superior officers, particularly those of Major General David Hunter, Brigadier General H. W. Benham, Colonel Edward W. Serrell, and Lieutenant Colonel James F. Hall. This at Hilton Head, South Carolina, on or about the first and ninth days of May, 1862."

Specification 5th—"In this; that the said Artificer *Adolph Schramm* did mutiny, and join with John Henneri, Carl Frantz, Conrad Pilzer, F. Elluchewitz, and other members of his Company and Regiment, in a mutiny, and did refuse to obey the legal commands of his superior officers, particularly those of Brigadier General Alfred H. Terry, and Lieutenant Colonel James F. Hall, and Lieutenant Patrick McGuire; and did refuse to join their company at St. Helena island, and to do any duty whatever; and did use, and join in the use of, violent and threatening language towards his superior officers, particularly towards Brigadier General Alfred H. Terry, Lieutenant Colonel James F. Hall, and Lieutenant Patrick McGuire. This at Hilton Head, South Carolina, on or about the fourteenth day of December, 1862."

CHARGE II.—"Using threatening and disrespectful language towards his superior officers."

Specification 1st—"In this; that the said Artificer *Adolph Schramm* did threaten, and join with John Henneri, Carl Frantz, Conrad Pilzer, John Wilson, and other members of his Company and Regiment, in threats, to injure and to kill his superior officers, particularly Brigadier General Q. A. Gillmore, Lieutenant Colonel James F. Hall, Captain F. E. Græfe, and Lieutenant Suess. This at Tybee island, Georgia, on or about the twenty-fifth day of April, 1862."

Specification 2d—"In this; that the said Artificer *Adolph Schramm* did threaten, and join with F. Elluchewitz, John Henneri, Carl Frantz, John Wilson, and other members of his Company and Regiment, in threatening, to injure and to kill his superior officers, particularly Brigadier General Alfred H. Terry, Lieutenant Colonel James F. Hall, and Lieutenant Patrick McGuire, and said 'I have a stick which I brought from Key West, and I think I can take care of Colonel Hall with it, the son of a bitch; and if the stick fails, why his —— aint very large, and I think I can take it off with a jack-knife, and I'll be damned if I don't. I'll be damned if I obey Colonel Hall, or any officer he sends here to take charge of us. I don't care a damn for General Terry or the Provost Marshal,' or words to that effect. This at Hilton Head, South Carolina, on or about the fourteenth day of December, 1862."

CHARGE III.—"Disobeying the lawful commands of his superior officers."

Specification 1st—"In this; that the said Artificer *Adolph Schramm* did join with John Henneri, Conrad Pilzer, Carl Frantz, F. Elluchewitz, and other members of his Company and Regiment, in refusing to obey the orders of his superior officers, and did refuse to embark for Tybee island, Georgia, when ordered so to do by his commanding officer, Captain F. E. Græfe. This at Hilton Head, South Carolina, on or about the first of March, 1862."

Specification 2d—"In this; that the said Artificer *Adolph Schramm* did refuse to go to his work when ordered so to do by his superior officers, particularly by Sergeant Whittmaner, and did join with John Henneri, Carl Frantz, Conrad Pilzer, F. Elluchewitz, and other members of his Company and Regiment, in refusing to do any duty whatever. This while in front of the enemy at Tybee island, Georgia, on or about the first day of April, 1862."

Specification 3d—"In this; that the said Artificer *Adolph Schramm* did join with John Henneri, Carl Frantz, Conrad Pilzer, F. Elluchewitz, and other members of his Company and Regiment, in refusing, and refuse to obey the commands of his superior

officers, particularly Brigadier General Q. A. Gillmore and Captain F. E. Græfe, and did refuse to do any duty whatever. This at Tybee island, Georgia, on or about the twenty-fifth day of April, 1862."

Specification 4th—"In this; that the said Artificer *Adolph Schramm* did refuse, and did join with John Henneri, Carl Frantz, Conrad Pilzer, John Wilson, and other members of his Company and Regiment, in refusing, to obey the commands of his superior officers, particularly those of Major General David Hunter, Brigadier General H. W. Benham, Colonel Edward Serrell, Lieutenant Colonel James F. Hall, and did refuse to do any duty whatever. This at Hilton Head, South Carolina, on or about the first and ninth days of May, 1862."

Specification 5th—"In this; that the said Artificer *Adolph Schramm* did refuse, and did join with John Henneri, Carl Frantz, Conrad Pilzer, John Wilson, and other members of his Company and Regiment, in refusing, to obey the commands of his superior officers, particularly those of Brigadier General Alfred H. Terry, Lieutenant Colonel James F. Hall, and Lieutenant Patrick McGuire, and did refuse to embark and to join his Company at St. Helena island, when ordered so to do by his superior officers. This at Hilton Head, South Carolina, on or about the fourteenth day of December, 1862."

To all which charges and specifications the accused, Artificer *Adolph Schramm*, Company "D," New York Volunteer Engineer Regiment, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Artificer *Adolph Schramm*, Company "D," New York Volunteer Engineer Regiment, as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty, with the exception of the words

and did use, and join in the use of, violent and threatening language towards his superior officers, particularly towards Lieutenant Suess."

Of the 4th *Specification*, "Guilty."

Of the 5th *Specification*, "Guilty."

Of the 1st CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty."

Of the 2d CHARGE, "Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Not Guilty."

Of the 3d *Specification*, "Guilty."

Of the 4th *Specification*, "Guilty."

Of the 5th *Specification*, "Guilty."

Of the 3d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Artificer *Adolph Schramm*, Company "D," New York Volunteer Engineer Regiment, "*To be shot to death at such times and place as the Commanding General shall direct, two-thirds of the members of the Court concurring therein.*"

II.. The foregoing proceedings, having been approved by the proper reviewing power and forwarded to the Department Commander, have been submitted to the President of the United States, with the following remarks:

HEADQUARTER'S, DEPARTMENT OF THE SOUTH,

Hilton Head, South Carolina, April 1, 1863.

The foregoing proceedings, finding, and sentence are approved, and respectfully forwarded for the consideration and orders of his Excellency the President of the United States, the sentence in the case being death. Attention is respectfully called to the accompanying copy of a recommendation to mercy signed by the members of the Court. From a very full-knowledge of all the facts in this case, I regard the Colonel

of this Regiment (Colonel E. W. Serrell) as mainly responsible for all the repeated offences of mutiny and insubordination of which the men have been guilty.

(Signed)

D. HUNTER,
Major General Commanding.

The President approves the recommendation to mercy, and directs that the sentence be remitted.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Assistant Adjutant General.